TITLE 11
DEPARTMENT OF HEALTH
CHAPTER 32
CONTROLLED SUBSTANCES

HISTORICAL NOTE: Chapter 32 of Title 11, Administrative Rules, substantially upon Chapter 45, Public Health Regulations. [Eff. 6/29/73; R June 1, 1982]

§11-32-1 PURPOSE.

The purpose of this chapter is to prescribe rules for the registration, use, prescription, disposal and production of controlled substances within this State. [Eff. June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §329-31)

§11-32-2 DEFINITIONS.

The following definitions shall apply in the interpretation and enforcement of this chapter.

"Abuse" means the misuses of s substance or the use of a substances to an extent deemed deleterious or detrimental to the user, to others, or to society.

"Administer" means the direct application of a controlled substances whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

(1) A practitioner (or, in his presence, by his authorized agent): or

(2) Time patient or research subject at the direction and in the presence of the practitioner.
"Agent" means a person who is authorized to act on behalf of or at the direction of a manufacturer, distributor, or dispenser.
"Bureau" means the Drug Enforcement Administration, United States Department of Justice, or its successor agency.
"Controlled substance" means a drug, substance, or immediate precursor in Schedule I through Schedule V of chapter 329, Part II, Hawaii Revised Statutes.
"Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number of device, or any likeness thereof, of a manufacturer, distributor, or dispenser, other than the person who in fact manufactured, distributed, or dispensed the substance.
"Deliver" or "Delivery" means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.
"Department" means the department of health, State of Hawaii.
"Director" means the director of health for the department of health, State of Hawaii, or his duly authorized agent.
"Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.
"Dispenser" means a practitioner who dispenses.
"Distribute" means to deliver other than by administering or dispensing a controlled substance.
"Distributor" means a person who distributes.
"Drug" means:
(a) Substances recognized u drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them.
(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals.
(c) Substances (other than food) intended to affect the structure or function of the body of man or animals: and
(d) Substances intended for use as a component of any article specified in clause (a), (b), or (c) of this subsection. It does not include devices or their components, parts, or accessories.
"Immediate Precursor" means a substance which the department has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture.
"Individual Practitioner" means a physician, dentist, veterinarian, or other individual licensed, registered, or otherwise permitted by the State to dispense a controlled substance in the course of his professional practice, but does not include a pharmacist, pharmacy, or an institutional practitioner.
"Institutional Practitioner" means a hospital, or other person (other than an individual) licensed, registered, or otherwise permitted by the State to dispense a controlled substance in the course of professional practice, but does not include a pharmacy.
"Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly by extraction from substances of

natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substances or labeling or relabeling of container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging, or relabeling of a controlled substance:
(1) By a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice: or
(2) By a practitioner, or by his authorized agent under his supervision, for the purpose of, or as an incident to research, teaching, or chemical analysis and not for sale.
"Narcotic Drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:
(1) Opium and opiate and any salt, compound, derivative, or preparation of opium or opiate.
(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1) but not including the isoquinoline alkaloids of opium.
(3) Opium poppy, and poppy straw.
(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of rheas substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.
"Person" means an individual, corporation, government, or governmental subdivision or agency, business trust, estate trust, partnership or association, or any other legal entity.
"Pharmacist" means a licensed pharmacist, apothecary, or druggist as defined by the laws of the State.
"Practitioner" means:
(1) A physician, dentist, veterinarian, scientific investigator, or other person licensed, registered, or otherwise permitted to distribute, dispense, prescribe, conduct research with respect to or to administer a controlled substances in the course of his professional practice or research in
(2) A pharmacy, hospital, or other institution licensed, registered, or otherwise permitted to distribute, dispense, prescribe, conduct research with respect to or to administer a controlled substance in the course of his professional practice or research in this State.
"Prescribe" means to direct, designate, or order the use of a formula for the preparation of a drug or medicine for a disease or illness and the manner of using them.
"Prescription" means an order or formula issued by a licensed practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine for the compounding or dispensing of drugs.
"Podiatrist" means a foot specialist authorized by law to practice podiatry and to dispense controlled substance in the course of his professional practice in this State.
"Production" includes the manufacture, planting, cultivation, growing, or harvesting of a controlled substance.
"Public Law 91-513" means the Federal Comprehensive Drug Abuse, Prevention and Control Act of 1970.
"Registration" means the act of registering with the Department of Health, State of Hawaii.
"State" when applied to a part of the United States, includes any State, District, Commonwealth,

Territory, Insular Possession thereof, and any area subject to the legal authority of the United States of America. [Eff. June l, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-1, 329-31)

§11-42-3 REGISTRATION REQUIREMENTS.
Every person who manufactures, distributes, prescribes, or dispenses any controlled substance listed in chapter 329, Part II, Hawaii Revised Statutes, within this State or who proposes to engage in the manufacture, distribution, prescribing, or dispensing of any controlled substance within this State, must obtain annually a certificate of registration issued by the department. [Eff June 1 1982] (Auth: HRS §329-31) (Imp: HRS §329-32)

§11-32-4 ANNUAL FEES FOR REGISTRATION AND RE-REGISTRATION.
(a) (1) For each initial registration to MANUFACTURE controlled substances, the registrant shall pay a fee of $100.00.
(2) For each re-registration to manufacture controlled substances, the registrant shall pay a fee of $75.00.
(b) (1) For each initial registration to DISTRIBUTE controlled substances, the registrant shall pay a fee of $25.00.
(2) For each re-registration to distribute controlled substances, the registrant shall pay a fee of $10.00.
(c) (1) For each initial registration to PRESCRIBE, ADMINISTER, or DISPENSE controlled substances, the registrant shall pay a fee of $10.00.
(2) For each re-registration to prescribe, administer, or dispense controlled substances, the registrant shall pay a fee of $5.00. [Eff June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-31, 329-32, 329-33)

§11-32-5 PERSONS REQUIRED TO REGISTER BUT EXEMPTED FROM FEE.
(a) The Director shall exempt from payment of a fee for initial and re-registration.
(l) Every person who conducts research or instructional activities with controlled substances listed in Schedules II through V.
(2) Every person who conducts chemical analyses with controlled substances listed in any Schedule.
(3) Any official or agency of the U.S. Army, Navy, Marine Corps, Air Force, Coast Guard, Veteran's Administration or Public Health Service who is authorized to procure or purchase controlled substances for official use.
(4) Any official, employee, or other civil officer or agency of the United States, or any political subdivision or agency thereof, who is authorized to purchase controlled substances, to obtain such substances from official stocks, to dispense, to administer such substances, to conduct research, instructional activities, or chemical analyses with such substances, or any combination thereof, in the course of his official duties or employment.
(b) In order to enable law enforcement agency laboratories to obtain and transfer controlled substances for use as standards in chemical analyses, laboratories must obtain annually a registration to conduct chemical analyses. Such laboratories shall be exempted from payment of any fee for registration. [Eff June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-31, 329-32)

§11-32-6 PERSON EXEMPTED FROM REGISTRATION.

(a) Registration is not required for the following persons under these circumstances:
(1) Any officer or employee of the Bureau, any officer of the U.S. Bureau of Customs, any officer or employee of the United States Food and Drug Administration, and any other Federal Officer who is lawfully engaged in the enforcement of any Federal law relating to controlled substances, drugs or customs, and is duly authorized to possess controlled substances in the course of his official duties.
(2) Any officer or employee of this State, or political subdivision or agency thereof, who is engaged in the enforcement of any State or local law relating to controlled substances and is duly authorized to possess controlled substances in the course of his official duties.
(3) Law enforcement laboratory personnel when acting in the scope of their official duties.
(b) Any official exempted by this section may, when acting in the course of his official duties, possess any controlled substance and distribute any such substance to any other official who is also exempted by this sect/on and acting in the course of his official duties. [Eff June 1 1982] (Auth: HRS §329-31) (Imp: HRS §§329-31, 329-32)

§11-32-7 TIME AND METHOD OF REGISTRATION.
(a) Registration and re-registration fees shall be paid at the time when the application for registration or re-registration is submitted for filing. Payment shall be made in cash, or in the form of a personal, certified, or cashier's check or money order made payable to the department of health. Payment made in the form of stamps, foreign currency, or third party endorsed checks will not be accepted. In the event that the application is not accepted for filing or is denied, the payment shall be refunded to the applicant.
(b) Any person who is required to be registered and who is not so registered may apply for registration at any time. NO PERSON REQUIRED TO BE REGISTERED SHALL ENGAGE IN ANY ACTIVITY FOR WHICH REGISTRATION IS REQUIRED, UNTIL THE APPLICATION FOR REGISTRATION IS GRANTED AND A CERTIFICATE OF REGISTRATION IS ISSUED BY THE DIRECTOR TO SUCH PERSON.
(c) State registration shall expire on the same day as the Drug Enforcement Administration registration. Any person who is registered may apply to be reregistered not earlier than sixty days prior to the expiration date of his registration. An additional fee of $25.00 shall be paid for re-registration after the expiration date on the certificate of registration.
(d) It shall be the responsibility of the department to inform the Drug Enforcement Administration of all registrants who have not reregistered. Failure to register with the department will prohibit the registrant to engage in any activity utilizing controlled substances. [Eff June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-31, 329-32)

§11-32-8 MODIFICATION, TRANSFER AND TERMINATION OF CERTIFICATES OF REGISTRATION.
(a) Any registrant may apply to modify his registration to authorize the handling of additional controlled substances by filing an application in the same manner as application for new registration. In the event of a change of name or address, the registrant shall submit a letter to the department of health, Investigations and Narcotics Control Section, P.O. Box 3378, Honolulu, Hawaii 96801. The letter shall contain the new name or address and the effective date. Such notification shall be within thirty days of such fact. No fee shall be required to be paid for the modification. The application for modification shall

be handled in the same manner as an application for registration.
(b) No registration or any authority conferred thereby shall be assigned or otherwise transferred.
(c) A certificate of registration issued to any persons shall terminate if and when such person dies, ceases legal existence, discontinues business or professional practice. Such person or his representative shall notify the director in writing within thirty days of such fact. [Eff June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-31, 329-32)

§11-32-9 SEPARATE REGISTRATION FOR SEPARATE LOCATIONS.
A separate registration is required at each principal place of business or professional practice where the applicant manufactures, distributes, prescribes or dispenses controlled substances. [Eff June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-31, 329-32)

§11-32-10 INSPECTIONS OF ESTABLISHMENTS OF REGISTRANTS.
(a) The department or its agents may inspect the establishment of a registrant or applicant for registration. In order to safeguard against diversion of controlled substances, the department may require the registrant of the place where controlled substances are kept to:
(1) Install a device which will give warning upon breaking into or entering such place, if such place has had repeated thefts of controlled substances or if large amounts are stored on the premises.
(2) Install enclosures around the area where controlled substances are kept to prevent any unauthorized person from entering such area.
(b) No person or business activity not directly related to the practice of pharmacy shall be permitted within the confines of the pharmacy proper.
(c) Sanitary conditions.
(1) The entire area of any place where controlled substances are maintained shall be kept clean and in good repair and order.
(2) All controlled substances and equipment shall be kept in accordance with provisions of chapter 328, Hawaii Revised Statutes, 1967, as amended. [Eff JUN 1 1982] (Auth: HRS §329-31) (Imp: HRS §§329-31, 329-32)

§ 11-32-11 RECORDS OF CONTROLLED SUBSTANCES.
(a) Every physician, dentist, pediatrist, veterinarian or other practitioner, shall keep a record of all controlled substances received, administered, or dispensed showing the amounts received, administered, or dispensed. It shall be deemed sufficient compliance with this subsection if a physician, dentist, podiatrist, veterinarian or other practitioner who uses small quantities of solutions or other preparations of controlled substances for local application keeps a record of the amount of the solution or other preparation applied by hint to individual patients.
(b) Producers, manufacturers, and wholesalers shall keep a record of the controlled substances produced, received, and disposed of by them.
(c) Pharmacies shall keep a record of all controlled substances received, dispensed, and disposed of by them.
(d) Every manufacturer of exempted preparations or remedies shall keep a record of the amount of controlled substances received and o1' all sales exempted preparations or remedies, and every dealer therein shall keep a record of all receipts and sales of exempted preparations and remedies. [Eff June 1,

1981] (Auth: HRS §329-31) (Imp: HRS §329-31, 329-36)

§11-32-12 FILING REQUIREMENTS.
(a) All persons registered to manufacture, distribute, or dispense controlled substances and all persons who transport, warehouse, or otherwise handle controlled substances, shall file with the department, copies of order, receipt and distribution of Schedule I and Schedule II controlled substances and other controlled substances designated by the department, showing the amounts of such controlled substances ordered, received, distributed, transported, warehoused, or otherwise handled.
(b) The record of controlled substances received shall contain the date, the name of the person from whom received, the kind and quantity of the controlled substance and a copy of each such record shall be forwarded to the department on a quarterly basis during each year. Controlled substances listed in Schedule I or II and ordered on an official order form issued by the Drug Enforcement Administration need not be reported to the department.
(c) The records of controlled substances sold, administered, or dispensed, shall contain the date, name of the person for whom, or the animal for which sold, administered, or dispensed, and the kind and quantity of controlled substances. Every such record shall be kept, for a period of two years from the date of transaction recorded. A record required by or under the Federal Controlled Substances Act, Pt, 91-513, containing substantially the same information shall be sufficient for compliance with this subsection. [Eff June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-31, 329-37)

§11-32-13 PROFESSIONAL, USE OF CONTROLLED SUBSTANCES.
(a) A physician, in lined faith and in the course of his professional practice only, may prescribe, administer or dispense a controlled substance in accordance with his certificate of registration or he may cause the same to be administered by a registered nurse or medical graduate trainer under his direction and supervision.
(b) A dentist, in good faith and in the course of his professional practice only, may prescribe, administer or dispense a controlled substance in accordance with his certificate of registration, or cause the nine to be administered by a nurse or intern under his direction and supervision.
(c) A podiatrist, in flood faith and in the course of his professional practice only, may prescribe, administer, or dispense a controlled substance in accordance with his certificate of registration, or he may cause the same to be administered by a nurse under his direction tad supervision.
(d) A veterinarian, in food faith tad in the course of his professional practice only, tad not for use by a human being, may prescribe, administer or dispense a controlled substance or cause the same to be administered by his authorized agent under his direction sad supervision.
(e) Any duly authorized person, employed by in institutional practitioner, who has obtained from a physician, dentist, podiatrist, or veterinarian any controlled substance for administering to a patient during the absence of the attending physician, dentist, podiatrist, or veterinarian shall immediately return to the physician, dentist, podiatrist, or veterinarian any unused portion of the controlled substance, when it is no longer required for the patient. [Eff. June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §329-31)

§11-32-14 PRESCRIPTIONS.
(a) A prescription for a controlled substance may be issued only by an individual practitioner who registered by the department of health to prescribe controlled substances in the State of

(b) Prescriptions for Schedule II controlled substances shall be submitted to the pharmacist in duplicate. The pharmacist shall within seven (7) days after filling the prescription forward the duplicate to the department and shall retain the original thereof on file for a period of two years after filling the same. Prescription forms for Schedule II controlled substances issued shall be no larger than 4-1/2" x 6-1/2" in size.
(c) The pharmacist filling the prescription shall properly endorse the prescription at such time and such endorsement shall contain the name of the pharmacy, pharmacist's signature, date filled, and the prescriptions serial number.
(d) A pharmacist may dispense controlled substances to any individual upon receipt of a prescription written with ink or indelible pencil or typewritten, dated and signed on the date when issued by a physician, dentist, podiatrist, or veterinarian and bearing the full name and address of the patient for whom or of the owner of the animal for which the controlled substance is prescribed and the name, address, and registration number under the Federal Controlled Substances Act of the prescriber, if he is required by it to be so registered, if the prescription be for an animal, it shall state the species animal for which the controlled substance is prescribed.
(e) Refilling of prescriptions.
(1) The refilling of a prescription for a controlled substance listed in Schedule II is prohibited.
(2) No prescriptions for a Schedule II controlled substance shall be filled later than the third day following the day of issuance.
(3) No prescription for a controlled substance listed in Schedule III or IV shall be filled or refilled more than 3 months after the date on which such prescription was issued and no such prescription authorized to be refilled shall be refilled more than two times whichever comes first.
(f) Emergency dispensing of Schedule II controlled substances.
(1) In the case of an emergency, an epidemic, or a sudden unforeseen accident or calamity, an individual practitioner may issue an oral prescription to a pharmacist to dispense Schedule II controlled substances.
(2) A Schedule II controlled substance may be dispensed by a pharmacist upon receiving an oral authorization directly from a prescribing individual practitioner, providing that the amount prescribed does not exceed the amount reasonably required by the emergency.
(3) Emergency dispensing of controlled substances shall be in accordance with Section 1306-11 (d) of the Federal Uniform Controlled Substance Act. [Eff. June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §329-31, 329-36, 329-38)

§11-32-15 FILING OF PRESCRIPTIONS.
(a) Inventories and records of all controlled substances listed in Schedules I and II shall be maintained separately from all other records of the pharmacy, and prescriptions for such substances shall be maintained in a separate prescription film.
(b) Inventories and records of controlled substances listed in Schedules II, IV, and V shall be maintained either separately from all other records of the pharmacy or in such form that the information required is readily retrievable from ordinary business records of the pharmacy, and the prescriptions for such substances shall be maintained either in separate prescription file for controlled substances listed in Schedules III, IV, and V only or in such form that they are readily retrievable from the other prescription records of the pharmacy. Prescriptions will be deemed readily retrievable if, at the time

they are initially filed, the face of the prescription is stamped in red ink in the lower right corner with the letter "C" no less than 1 inch high and filed either in the prescription file for controlled substances listed in Schedules I and II or in the usual consecutively numbered prescription file for non-controlled substances.
(c) Prescriptions, orders, and records required by this chapter shall be open for inspection only to, Federal, State, County and Municipal Officers whose duty it is to enforce the laws of the State or the Federal Uniform Controlled Substance Act. No officer having knowledge by virtue of his office of any such prescription, order, or record shall divulge such knowledge, except in connection with a prosecution or proceeding in or before a licensing board or officer w hen such prosecution of proceeding is against the person to whom the, prescription, order, or record relate. [Eff. June 1, 1982] (Auth: HRS §§329-31) (Imp: HRS §§329-36, 329-37, 329-38) CONTROLLED SUBSTANCES

§11-32-16 TELEPHONE/PRESCRIPTIONS.
(a) In lieu of a written prescription required by this chapter, a pharmacist, in good faith, may dispense Schedule III, IV, and V controlled substances identified in chapter 329, part II, Hawaii Revised Statues, to any person upon receiving an oral prescription over the telephone from a prescriber. The oral prescriptions shall be promptly reduced to writing by the pharmacist. Written memorandum shall be dated on the date when such oral prescription is received by the pharmacist: it shall bear the full name and address of the ultimate user for whom, or of the animal for which the controlled substances is dispensed, and the kind, quantity, and direction for use of the controlled substance; it shall bear the full name, address, and registry number under the Federal Act relating to controlled substance of the prescriber, the telephone designation issued by the department of the prescriber, and the pharmacist filling such oral prescription shall write the date of filling and his own signature on the face of such written memorandum thereof. The memorandum of the oral prescription shall be retained on file by the proprietor of the pharmacy in which it was filled for a period of not less than two years, and shall be readily accessible for inspection by any officer or employee engaged in the enforcement of this chapter in the same manner as any written prescription.
(b) Only a pharmacist shall receive an oral prescription. The receiving pharmacist shall ask the calling individual practitioner or his silent for the telephone designation and shall enter the same on the written memorandum. No oral prescription for a controlled substance shall be filled unless the receiving pharmacist receives a telephone designation.
(c) A written memorandum of a telephone oral prescription shall not be filled or refilled more than 3 months after the date on which such prescription was issued and no such prescription be refilled more than 2 times. [Eff. June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §§328-16, 329-38)

§11-32-17 PROFESSIONAL SAMPLES OF CONTROLLED SUBSTANCES.
(a) No person shall distribute professional samples of controlled substances to a practitioner without first:
(1) Determining that the practitioner is registered by Federal and State laws to prescribe, administer or dispense the controlled substances to be distributed by him.
(2) Preparing and leaving with the practitioner a written and signed list of the specific controlled substances so distributed.
(b) Professional samples of controlled substances received by a practitioner shall be kept in its original

containers. Such samples shall be dispensed only in conformity with the Federal law governing the dispensing of controlled substances and shall contain all the necessary "Caution Labels" if so required.
(c) Professional samples shall be dispensed only to a bona fide patient of the practitioners. [Eff. June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-31, 329-32)

§11-32-18 AUTHORIZED POSSESSION OF CONTROLLED SUBSTANCES BY INDIVIDUAL.
(a) A person to whom or for whose use any controlled substance has been sold or dispensed by a pharmacist, physician, dentist, podiatrist, or other practitioner, or the owner of an animal for which any such drug has been prescribed or dispensed by a veterinarian, may lawfully possess it only in the container delivered to him by a person selling or dispensing the same. [Eff. June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-32, 329-39)

§ 11-32-19 PROCEDURES FOR DISPOSAL OF CONTROLLED SUBSTANCES.
(a) Any registrant desiring to dispose of controlled substances that are old, outdated, contaminated unfit for human consumption may do so in the following manner.
(1) By delivery to an Night of the department who is authorized to dispose of controlled substance, or
(2) By the destruction in the presence of an authorized agent of the department, or
(3) By other means as the director may determine to assure that the controlled substance does not become available to unauthorized persons.
(4) By other means as authorized by Federal law.
(b) Any registrant desiring to dispose of his controlled substance may do so by:
(1) Transferring any unopened containers to another registrant who is authorized to possess those controlled substances, or
(2) Returning the controlled substances to the distributor if he so authorizes, or
(3) Any means mentioned in section 11-32-19 (a) .
(c) In the event that controlled substances are destroyed or transferred in accordance with section 11-32-19 (a) or (b), the registrant shall prepare a list of the controlled substances listing each drug, the strength and total dosage unit or volume in duplicate. The original shall be kept with the records of the registrant or registrant to whom the controlled substances were transferred, and the duplicate forwarded to the department or turned over to the authorized agent disposing of the controlled substance. [Eff. June 1, 1982] (Auth: HRS §329-31) (Imp: §329-36)

§11-32-20 PRODUCTION OF CONTROLLED SUBSTANCES BEARING PLANTS.
Registration
(a) It shall be unlawful for any person to engage in or be associated in any manner with or permit another to engage in the cultivation of controlled substance bearing plants or in the production, manufacturing or processing of controlled substances unless such person holds a currently effective certificate of registration issued by the director.
(b) A certificate of registration may be renewed upon the filing of an application on a form furnished the director, stating either that there has been no changes in the status of matter set forth in the registrant's original application or in a supplementary application, or, if any changes have occurred, setting forth such changes.

(c) A certificate of registration shall be renewed annually.
(d) A certificate of registration may be revoked immediately by the director upon any violation by the registrant to any of the terms of the certificate of laws of the United States and this State governing controlled substances.
(e) Disposal of controlled substances bearing plants. Any controlled substance bearing plant that is cultivated or any substance from such plant that is produced, manufactured, or processed by the registrant and used for a specific scientific or educational use shall be disposed of as authorized by means mentioned in Section 11-32-19. [Eff. June 1, 1982] (Auth: HRS §329-31) (Imp: §§329-32, 329-33)

§11-32-21 OFFENSES AND PENALTIES.
Every person violating any provision of this chapter shall be guilty of the provisions as set forth in Chapter 329-41 and 329-42, Hawaii Revised Statutes. [Eff. June l, 1982] (Auth: HRS §329-31) (Imp: HRS §§329-41, 329-42)

§11-32-22 SEVERABILITY.
Should any section, paragraph, sentence, clause, phrase, or application of this chapter be declared unconstitutional or invalid for any reason, the remainder or any other application of said chapter shall not be affected thereby. [Eff. June 1, 1982] (Auth: HRS §329-31) (Imp: HRS §329-31)